

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS,
WACO DIVISION

FRED LUPFER,
Plaintiff,

v.

COMMERCIAL RECOVERY
SYSTEMS, INC.,
Defendant.

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CIVIL ACTION NO. W-10-CA-00336

ORDER

Before the Court is the Stipulation of Dismissal. Federal Rule of Civil Procedure 41 provides that "the plaintiff may dismiss an action ... by filing a stipulation of dismissal signed by all the parties who have appeared." See Fed. R. Civ. P. 41(a)(1)(A)(ii). The Court, having reviewed the stipulation and record in this case, finds that all requirements of Rule 41 are satisfied. Accordingly, it is

ORDERED that this civil action is hereby **DISMISSED WITH PREJUDICE**, with all costs and fees to be paid by the party incurring same. It is further

ORDERED that any other pending motions not previously ruled upon by the Court are **DENIED** as moot.

SIGNED this 11th day of October, 2011.



WALTER S. SMITH, JR.
UNITED STATES DISTRICT JUDGE